

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

RONNIE DOOLEY and THOMAS KITT,
individually and on behalf of all others
similarly situated

Plaintiffs,

v.

RONALD SAXTON, RODERICK C.
WENDT, R. NEIL STUART, and JELD-
WEN EMPLOYEE STOCK OWNERSHIP
& RETIREMENT PLAN,

Defendants.

Case No. 1:12-CV-1207-MC
Consolidated with Case Nos: 1:13-CV-177-
MC & 1:13-CV-395-MC

**DECLARATION OF JENNIFER
MIDDLETON**

Pursuant to 28 U.S.C. § 1746, the undersigned attests to the following under the penalties of perjury of the laws of the state of Oregon:

1. My name is Jennifer Middleton. I am an adult over the age of 18 and am a shareholder in the law firm of Johnson, Johnson & Schaller, PC.
2. My firm regularly, nearly exclusively, represents plaintiffs in state and federal litigation. We operate almost exclusively on a contingent fee basis.
3. Johnson, Johnson & Schaller serves as local counsel in this matter. Our efforts have been conducted efficiently and with cost-savings in mind. Being on a contingent fee basis, all counsel had every incentive to manage this litigation efficiently. We sought to minimize duplication of efforts by local counsel that were already being undertaken by the highly skilled national firms representing the Class.
4. Furthermore, my firm coordinated with Cohen Milstein at all times to ensure our firms operated efficiently and did not over bill the clients in this case for our work. Any time two or more attorneys worked on a task, it was because we concluded the task was

worthy of such attention, could benefit from more than one perspective, or was labor intensive enough to justify such attention.

5. From my firm's contemporaneous time records, my firm expended the following hours for each timekeeper:

Derek Johnson, Attorney	\$500/hr	16.5 hours
Jennifer Middleton, Attorney	\$400/hr	29.5 hours
Marilyn Heiken, Paralegal	\$150/hr	16.9 hours

6. The rates of each timekeeper are those that are customary for federal litigators of our experience. Since ERISA is practiced nationally, the rates reflect the national rates for this type of work.

7. My firm's total lodestar as of July 16, 2015 is \$22,585.

8. We expect to expend additional time to complete this litigation, including assisting with the upcoming hearings, potential objections, and any necessary work relating to local filings. It is difficult to estimate the likely total lodestar for this work, but we expect it to be less than \$10,000.

9. When my fellow shareholder Derek Johnson and I agreed to serve as local counsel in this case, based on the state of the law, risk, and estimated duration, we expected a total attorney's fee award of between 30- 33% of any recovery. We also understood there was a high likelihood my firm might recover nothing in this case given its risky nature.

10. In any class action case, we expect to recover expenses from the recovery just as we would from any paying client.

11. My firm's expenses, necessary to the successful prosecution of this case, were as follows:

a. Service fees:	\$160.00
b. Travel:	\$189

- c. Research charges: \$28
- d. Postage and long distance: \$85
- e. Filing fees: \$550

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 16, 2015

A handwritten signature in black ink, appearing to read 'Jennifer Middleton', written over a horizontal line.

Jennifer Middleton